

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

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USDC Docket Number : 05-cv-11877

Aalaeldin Khirawi

v.

Getronics Wang Co., LLC

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**CLERK'S CERTIFICATE**

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered: 1-31, 33

and contained in I-II Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 6/1/2007.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on June 14, 2007.

By



Sarah A. Thornton, Clerk of Court

Receipt of the documents in the above entitled case is hereby acknowledged this date: 6/14/07.

P. Baichard  
Deputy Clerk, US Court of Appeals

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Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: \_\_\_\_\_

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:05-cv-11877-WGY  
Internal Use Only**

Khirawi v. Getronics Wang Co., LLC  
Assigned to: Judge William G. Young  
Demand: \$1,500,000  
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 09/15/2005  
Date Terminated: 05/04/2007  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff****Aalaeldin Khirawi**

represented by **Sol J. Cohen**  
Cohen & Sales  
43 Thorndike street  
Cambridge, MA 02141  
617-621-1151  
Fax: 617-494-0084  
Email: soljcohen@cohenandsales.com  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.



**Defendant**

**Getronics Wang Co., LLC**  
*doing business as*  
Getronics

represented by **Erik J. Winton**  
Jackson Lewis LLP  
75 Park Plaza  
Boston, MA 02116  
617-367-0025  
Fax: 617-367-2155  
Email: wintone@jacksonlewis.com  
**ATTORNEY TO BE NOTICED**

**Mediator**

**Mag. Judge Marianne B. Bowler**  
**TERMINATED: 11/02/2006**

Date Filed	#	Docket Text
09/15/2005	 1	COMPLAINT against Getronics Wang Co., LLC Filing fee: \$ 250, receipt number 66940, filed by Aalaeldin Khirawi. (Attachments: # <u>1</u> Civil Cover Sheet)(Folan, Karen) (Entered: 09/20/2005)
09/15/2005		Summons Issued as to Getronics Wang Co., LLC. (Folan, Karen)





		(Entered: 09/20/2005)
09/15/2005	1	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Dein. (Folan, Karen) (Entered: 09/20/2005)
10/11/2005	2	Assented to MOTION for Extension of Time to October 28, 2005 to File Answer by Getronics Wang Co., LLC.(Winton, Erik) (Entered: 10/11/2005)
10/12/2005	3	Judge Robert E. Keeton : ElectronicORDER entered granting 2 Motion for Extension of Time to Answer Getronics Wang Co., LLC answer due 10/28/2005. (Folan, Karen) (Entered: 10/12/2005)
10/28/2005	3	ANSWER to Complaint by Getronics Wang Co., LLC.(Winton, Erik) (Entered: 10/28/2005)
11/01/2005	4	NOTICE of Scheduling Conference Scheduling Conference set for 12/7/2005 02:30 PM before Judge Robert E. Keeton. (Folan, Karen) (Entered: 11/01/2005)
11/08/2005	5	SUMMONS Returned Executed Getronics Wang Co., LLC served on 9/22/2005. (Folan, Karen) (Entered: 11/09/2005)
11/29/2005	6	JOINT STATEMENT re scheduling conference. (Winton, Erik) (Entered: 11/29/2005)
12/07/2005	7	ElectronicClerk's Notes for proceedings held before Judge Robert E. Keeton : Scheduling Conference held on 12/7/2005. Colloquy re: settlement negotiations. Pltf: submitted a proposed settlement number/demand to defendant. Defendant is reviewing it but proposed number is unexpectedly high; open to ADR. Colloquy re: proposed schedule and discovery plan. REK accepts the propsed schedule and plan. Jury Trial set for 6/4/2007 09:00 AM before Senior Judge Robert E. Keeton. Pretrial Conference set for 3/7/2007 11:00 AM before Senior Judge Robert E. Keeton. Status Conference set for 4/5/2006 11:00 AM before Senior Judge Robert E. Keeton. If the parties would like an earlier status conference then the parties should contact the clerk and let her know.(Court Reporter Cloonan.) (Folan, Karen) (Entered: 12/08/2005)
03/30/2006	7	Joint MOTION to Continue Status Conference to After June 5, 2006 by Getronics Wang Co., LLC.(Winton, Erik) (Entered: 03/30/2006)
03/31/2006	8	Senior Judge Robert E. Keeton: Electronic ORDER entered granting 7 Joint Motion to Continue Status Conference. The status conference is rescheduled to 6/13/2006 at 2:30 PM before Senior Judge Robert E. Keeton in courtroom 3 on the 3rd Floor. (Filo, Jennifer) (Entered: 03/31/2006)
06/13/2006	9	ElectronicClerk's Notes for proceedings held before Judge Robert E. Keeton : Status Conference held on 6/13/2006. Re: discovery status. Almost complete just waiting on a couple of depositions/interrogatories. Discovery is on target to be completed by the pre-set deadline. Status Conference set for 9/13/2006 03:00 PM before Senior Judge Robert E.

		Keeton. (Court Reporter Cloonan.) (Folan, Karen) (Entered: 06/14/2006)
06/15/2006	●	ELECTRONIC NOTICE of Reassignment. Judge William G. Young added. Judge Robert E. Keeton no longer assigned to case. From this date forward the case number on all pleadings should be followed by the initials WGY. (Folan, Karen) (Entered: 06/15/2006)
06/16/2006	●	ELECTRONIC NOTICE of Hearing : Scheduling Conference set for 7/14/2006 02:00 PM in Courtroom 18 before Judge William G. Young. (Smith, Bonnie) (Entered: 06/16/2006)
07/14/2006	●	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Scheduling Conference held on 7/14/2006. The Court explains the requirements of the session.Dispositive Motions due by 3/1/2007. Final Pretrial Conference set for NO SOONER THAN 5/7/2007 02:00 PM before Judge William G. Young. Jury Trial set for RUNNING TRIAL LIST AS OF 6/4/2007 09:00 AM before Judge William G. Young. Case to go to ADR as of SEPT., 2006(Court Reporter Womack.) (Smith, Bonnie) (Entered: 07/17/2006)
08/18/2006	●8	REFERRING CASE to Alternative Dispute Resolution.(Paine, Matthew) (Entered: 08/18/2006)
08/22/2006	●	Electronic Notice of assignment to ADR Provider. Magistrate Judge Marianne B. Bowler appointed. The Court will contact counsel with regard to scheduling.(Tyler, Rebecca) (Entered: 08/22/2006)
08/24/2006	●9	NOTICE of ADR Conference. Mediation Hearing set for 9/20/2006 at 10:00 AM in Courtroom 25 before Magistrate Judge Marianne B. Bowler. All PARTIES are REQUIRED to attend and must have full binding settlement authority. Leave of court is REQUIRED for any exceptions. All confidential mediation briefs are REQUIRED to be submitted to the court VIA FACSIMILE at (617) 204-5833 at least TWO BUSINESS DAYS prior to the hearing. (Duffy, Marc) (Entered: 08/24/2006)
08/31/2006	●10	Assented to MOTION to Continue Mediation to After 9/22/06 by Aalaeldin Khirawi.(Cohen, Sol) (Entered: 08/31/2006)
09/19/2006	●	Judge Marianne B. Bowler: Electronic ORDER entered granting <u>10</u> Motion to Continue Mediation. The mediation is reset for November 2, 2006 at 10:00 a.m. (Bowler, Marianne) (Entered: 09/19/2006)
11/02/2006	●11	REPORT of Alternative Dispute Resolution Provider. (Duffy, Marc) (Entered: 11/02/2006)
02/13/2007	●12	First MOTION for Extension of Time to March 15, 2007 to File <i>Motion for Enlargement of Time to File Dispositive Motions Due to Family Medical Issue</i> by Getronics Wang Co., LLC.(Winton, Erik) (Entered: 02/13/2007)
02/14/2007	●	Judge William G. Young : Electronic ORDER entered granting <u>12</u> Motion for Extension of Time to March 15, 2007, to File Dispositive Motions Due to Family Medical Issue. (Paine, Matthew) (Entered: 02/14/2007)



		02/14/2007)
03/15/2007	<u>13</u>	MOTION for Summary Judgment by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 03/15/2007)
03/15/2007	<u>14</u>	MEMORANDUM in Support re <u>13</u> MOTION for Summary Judgment filed by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 03/15/2007)
03/15/2007	<u>15</u>	Statement of Material Facts L.R. 56.1 re <u>13</u> MOTION for Summary Judgment filed by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 03/15/2007)
03/15/2007	<u>16</u>	AFFIDAVIT of Wayne Ogg in Support re <u>13</u> MOTION for Summary Judgment filed by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 03/15/2007)
03/15/2007	<u>17</u>	AFFIDAVIT of Erik J. Winton in Support re <u>13</u> MOTION for Summary Judgment filed by Getronics Wang Co., LLC. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Errata B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O# <u>16</u> Exhibit P# <u>17</u> Exhibit Q# <u>18</u> Exhibit R# <u>19</u> Exhibit S# <u>20</u> Exhibit T# <u>21</u> Exhibit U# <u>22</u> Exhibit V# <u>23</u> Exhibit W# <u>24</u> Exhibit X# <u>25</u> Exhibit Y# <u>26</u> Exhibit Z# <u>27</u> Exhibit AA# <u>28</u> Exhibit BB# <u>29</u> Exhibit CC# <u>30</u> Exhibit DD# <u>31</u> Exhibit EE# <u>32</u> Exhibit FF# <u>33</u> Exhibit GG# <u>34</u> Exhibit HH)(Winton, Erik) (Entered: 03/15/2007)
03/21/2007	<u>1</u>	ELECTRONIC NOTICE of Hearing on Motion <u>13</u> MOTION for Summary Judgment: Motion Hearing set for 4/10/2007 02:00 PM in Courtroom 18 before Judge William G. Young. Opposition is due by 3/29/07. Reply brief, if any, is due by 4/5/07.(Smith, Bonnie) (Entered: 03/21/2007)
03/22/2007	<u>1</u>	ELECTRONIC NOTICE OF RESCHEDULING MOTION Hearing on the Motion for Summary Judgment has been reset for 5/3/2007 02:00 PM before Judge William G. Young. (Smith, Bonnie) (Entered: 03/22/2007)
03/26/2007	<u>18</u>	MOTION for Extension of Time to April 5, 2007 to File opposition to summary judgment by Aalaeldin Khirawi.(Cohen, Sol) (Entered: 03/26/2007)
03/27/2007	<u>1</u>	Judge William G. Young : Electronic ORDER entered GRANTING <u>18</u> MOTION for Extension of Time to April 5, 2007 to File opposition to summary judgment. (Paine, Matthew) (Entered: 03/27/2007)
04/05/2007	<u>19</u>	AFFIDAVIT of Attorney Sol J. Cohen in Opposition re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Cohen, Sol) (Entered: 04/05/2007)
04/05/2007	<u>20</u>	Opposition re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10# <u>11</u> Exhibit 11# <u>12</u> Exhibit 12# <u>13</u> Exhibit 13# <u>14</u> Exhibit 14# <u>15</u> Exhibit 15# <u>16</u> Exhibit 16# <u>17</u> Exhibit 17# <u>18</u> Exhibit 18#

		19 Exhibit 19# 20 Exhibit 20# 21 Exhibit 21# 22 Exhibit 22# 23 Exhibit 23# 24 Exhibit 24# 25 Exhibit 25# 26 Exhibit 26# 27 Exhibit 27# 28 Exhibit 28# 29 Exhibit 29# 30 Exhibit 30# 31 Exhibit 31# 32 Exhibit 32# 33 Exhibit 33# 34 Exhibit 34# 35 Exhibit 35# 36 Exhibit 36# 37 Exhibit 37# 38 Exhibit 38# 39 Exhibit 39# 40 Exhibit 40# 41 Exhibit 41)(Cohen, Sol) (Entered: 04/05/2007)
04/05/2007	<u>21</u>	MEMORANDUM in Opposition re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Cohen, Sol) (Entered: 04/05/2007)
04/05/2007	<u>22</u>	Statement of Material Facts L.R. 56.1 re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Cohen, Sol) (Entered: 04/05/2007)
04/05/2007	<u>23</u>	AFFIDAVIT of Plaintiff Aalaeldin Khirawi in Opposition re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Cohen, Sol) (Entered: 04/05/2007)
04/06/2007	<u>24</u>	Supplemental Opposition re <u>13</u> MOTION for Summary Judgment filed by Aalaeldin Khirawi. (Attachments: # <u>1</u> Exhibit 42# <u>2</u> # <u>3</u> Exhibit 44# <u>4</u> Exhibit 45# <u>5</u> Exhibit 46# <u>6</u> Exhibit 47# <u>7</u> Exhibit 48)(Cohen, Sol) (Entered: 04/06/2007)
04/09/2007	<u>25</u>	ELECTRONIC NOTICE issued requesting courtesy copy for <u>23</u> Affidavit in Opposition to Motion, <u>22</u> Statement of Material Facts L.R. 56.1, <u>21</u> Memorandum in Opposition to Motion, <u>20</u> Opposition to Motion,,, <u>19</u> Affidavit in Opposition to Motion, <u>24</u> Opposition to Motion. Counsel who filed this document are requested to submit a courtesy copy of this document (or documents) to the Clerk's Office by. <b>These documents must be clearly marked as a Courtesy Copy and reflect the document number assigned by CM/ECF.</b> (Paine, Matthew) (Entered: 04/09/2007)
04/17/2007	<u>25</u>	REPLY to Response to Motion re <u>13</u> MOTION for Summary Judgment filed by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 04/17/2007)
04/17/2007	<u>26</u>	MOTION to Strike <u>20</u> Opposition to Motion,,, <i>Exhibits #7 and #48</i> by Getronics Wang Co., LLC.(Winton, Erik) (Entered: 04/17/2007)
04/17/2007	<u>27</u>	MEMORANDUM in Support re <u>26</u> MOTION to Strike <u>20</u> Opposition to Motion,,, <i>Exhibits #7 and #48</i> filed by Getronics Wang Co., LLC. (Winton, Erik) (Entered: 04/17/2007)
04/30/2007	<u>28</u>	Opposition re <u>26</u> MOTION to Strike <u>20</u> Opposition to Motion,,, <i>Exhibits #7 and #48</i> filed by Aalaeldin Khirawi. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Cohen, Sol) (Entered: 04/30/2007)
04/30/2007	<u>29</u>	AFFIDAVIT of Sol J. Cohen in Opposition re <u>26</u> MOTION to Strike <u>20</u> Opposition to Motion,,, <i>Exhibits #7 and #48</i> filed by Aalaeldin Khirawi. (Cohen, Sol) (Entered: 04/30/2007)
05/03/2007	<u>30</u>	ElectronicClerk's Notes for proceedings held before Judge William G. Young : Plaintiff counsel Cohen and Defendant counsel Winton are present.Motion Hearing held on 5/3/2007After hearing the Motion for

		Summary Judgment is ALLOWED. Judgment to enter for the defendant. (Court Reporter Womack.) (Smith, Bonnie) (Entered: 05/04/2007)
05/04/2007	 30	Judge William G. Young : Electronic ORDER entered. JUDGMENT in favor of Defendant against Plaintiff(Smith, Bonnie) (Entered: 05/04/2007)
06/01/2007	 31	NOTICE OF APPEAL as to <u>30</u> Judgment by Aalaeldin Khirawi Filing fee \$ 455, receipt number 1543613 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals.Appeal Record due by 6/21/2007. (Cohen, Sol) (Entered: 06/01/2007)
06/04/2007	 32	TRANSCRIPT of Motion Hearing held on 5/3/07 before Judge Young. Court Reporter: Donald E. Womack. The original transcripts are maintained by the Clerk's Office. Copies may be obtained by contacting the court reporter at womack@megatran.com or the Clerk's Office. (Scalfani, Deborah) (Entered: 06/04/2007)
06/04/2007	 33	Supplemental Record on Appeal transmitted to US Court of Appeals re <u>31</u> Notice of Appeal, Documents included: 32 (Scalfani, Deborah) (Entered: 06/04/2007)